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5 Attorneys for Defendant
BAYER HEALTHCARE PHARMACEUTICALS,
6 INC.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 THEODORE EAZER and SUE EAZER,

13 Plaintiffs,

14 v.

15 BAYER HEALTHCARE
PHARMACEUTICALS, INC.; BAYER
16 SCHERING PHARMA AG; GE
HEALTHCARE, INC.; GE
17 HEALTHCARE AS; MALLINCKRODT,
INC.; and BRACCO DIAGNOSTICS,
18 INC.,

19 Defendants.
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Case No. CV 09 4732 EMC

**STIPULATION OF PLAINTIFFS AND
DEFENDANT BAYER HEALTHCARE
PHARMACEUTICALS, INC. TO EXTEND
TIME FOR DEFENDANT TO FILE A
RESPONSIVE PLEADING ; ORDER**

21 Pursuant to Local Rule 6-1 of the United States District Court for the Northern District of
22 California, and based on the agreement between counsel for Plaintiffs Theodore and Sue Eazer
23 and Defendant Bayer Healthcare Pharmaceuticals, Inc., it is hereby stipulated as follows:

24 The parties agree that the period of time within which Defendant Bayer Healthcare
25 Pharmaceuticals, Inc. may answer or otherwise respond to the Complaint is extended until after
26 the case is transferred to *In Re: Gadolinium Based Contrast Agents Products Liability Litigation*,
27 MDL No. 1909, Case No. 1:09-gd-50000-DAP ("MDL"), pending in the United States District
28 Court of the Northern District of Ohio. Upon transfer, Defendant Bayer Healthcare

1 Pharmaceutical, Inc's obligation to file a responsive pleading will be governed by Case
2 Management Order No. 5 issued in the MDL.

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4 Dated: November 3, 2009

DRINKER BIDDLE & REATH LLP

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6 By: /s/ Rodney M Hudson
Rodney M. Hudson

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8 Attorneys for Defendants
BAYER HEALTHCARE
9 PHARMACEUTICALS, INC.

10 Dated: November 3, 2009

LEVIN SIMES KAISER & GORNICK LLP

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12 By: /s/ Laura Brandenburg
13 Laura Brandenburg

14 Attorneys for Plaintiffs
THEODORE EAZER and SUE EAZER

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17 IT IS SO ORDERED:

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19
20 Edward M. Chen
21 U.S. Magistrate Judge

